

By: Goolsby

H.B. No. 1733

Substitute the following for H.B. No. 1733:

By: Solomons

C.S.H.B. No. 1733

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a structure that is considered a homestead exempt from
3 seizure for certain claims.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 41.002, Property Code, is amended by
6 adding Subsection (c-1) to read as follows:

7 (c-1) A structure not affixed to land, including a
8 manufactured home or a houseboat, that is designed or adapted for
9 human residence, is used as a residence, and is occupied by the
10 homestead claimant as the claimant's principal residence is a
11 homestead. Section 2.001(a) or a similar statute does not affect a
12 homestead designation under this subsection.

13 SECTION 2. The change in law made by this Act takes effect
14 January 1, 2008, but only if the constitutional amendment proposed
15 by the 80th Legislature, Regular Session, 2007, providing that
16 certain structures not affixed to land be considered homesteads
17 protected from certain types of forced sale is approved by the
18 voters. If that amendment is not approved by the voters, the Act
19 has no effect.